



9666 Olive Street Blvd., Suite 215  
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**February 25, 2016**

## **Request to file an Operational SPIN Change**

**CC Docket No. 02-6**

**Federal Communications Commission  
Office of the Secretary  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554**

**To whom it may concern;**

**Appellant Name: Cricky Cirillo, consultant for applicant.  
Applicant: Lincoln-Marti Communities  
Applicant BEN #: 16055616  
Applicant Form 471 #: 986507**

**We filed for Lincoln-Marti Communities BEN 13043 in Funding Year 2014 for TW Telecom under a contract. TW Telecom was not able to install their services until November 1, 2014 but I was not made aware of that until after the deadline to file the BEAR. I filed an appeal with USAC and they denied it. We respectfully request that the FCC evaluate the filing for FRN 2790716 and allow a Corrective SPIN change so Lincoln-Marti can file a BEAR for AT&T, July 1, 2014 through October 30, 2015.**

**Respectfully,**

**Cricky Cirillo, for Richard Senturia, Consultant  
Consulting Number 16048902  
9666 Olive Blvd, Suite 215  
Olivette, MO 63132  
314-282-3675 direct line  
314-395-5882 fax  
[cricky@erateprogram.com](mailto:cricky@erateprogram.com)**



**Universal Service Administrative Company**  
Schools & Libraries Division

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**Administrator's Decision on Appeal – Funding Year 2014-2015**

January 13, 2016

Cricky Cirillo  
E-Rate Program LLC  
9666 Olive Street, Suite 215  
Olivette, MO 63132-3032

Re: Applicant Name: LINCOLN-MARTI SCHOOL  
Billed Entity Number: 16055616  
Form 471 Application Number: 986507  
Funding Request Number(s): 2690716  
Your Correspondence Dated: November 17, 2015

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2014 Administrator's Decision on SPIN Change Request Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision. If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 2690716  
Decision on Appeal: **Denied**  
Explanation:

- USAC determined that your Service Provider Identification Number (SPIN) change request did not comply with the FCC's operational SPIN change requirements and/or failed to meet the minimum processing standards and deadlines outlined on USAC's website. Specifically, your operational SPIN change request was denied because the request was postmarked on 11/2/2015, which is after the last date to submit an invoice for Funding Request Number (FRN) 2690716.
- In its Copan Order, the FCC determined that SPIN change requests would be granted when the applicant certifies that (1) the changes are allowed under state and local procurement rules and under the terms of the contract between the applicant and the service provider, and (2) the applicant has notified the original

service provider of the intent to change. *See* Request for Review of the Decision of the Universal Service Administrator by Copan Public Schools, Copan, Oklahoma, Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc., File No. SLD-26231, CC Docket Nos. 96-45 and 97-21, 15 FCC Rcd 5498, FCC 00-100 para. 6 (rel. Mar. 16, 2000). *See* also SPIN Changes posted in the Reference Area of the SLD section of the USAC website. Once a contract for products or services is signed by the applicant and service provider, the applicant may not change to a different service provider unless (1) there is a legitimate reason to change providers (e.g., breach of contract or the service provider is unable to perform); and (2) the newly selected service provider received the next highest point value in the original bid evaluation, assuming there was more than one bidder. *See* Schools and Libraries Universal Service Support Mechanism, A National Broadband Plan For Our Future, Sixth Report and Order, CC Docket No. 02-6; GN Docket No. 09-51, FCC 10-175 para. 91 (rel. September 28, 2010).

Since your appeal was denied in full, dismissed or cancelled, you may file an appeal with the FCC. Your appeal must be postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found under the Reference Area/"Appeals" of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division  
Universal Service Administrative Company





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**Administrator's Decision on SPIN Change Request**

November 16, 2015

Re: Applicant Name: Lincoln-Marti School  
Contact Name: Circky Cirillo  
Billed Entity Number: 16055616  
FCC Form 471 Application Number: 986507  
Funding Request Number: 2690716  
Your Correspondence Dated: 11/02/2015

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your SPIN Change Request for the FRN(s) indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision. If your SPIN Change request included more than one Application Number, please note that you will receive a separate letter for each application.

**Funding Request No. (FRN): 2690716**

Original Service Provider: TW Telecom Holdings, Inc.  
Original SPIN: 143032782  
New Service Provider: BellSouth Telecommunications, LLC  
New SPIN: 143004824  
Original Commitment Amount: \$323,254.03  
Disbursement Amount: \$202,321.57  
CAP Remaining: \$120,932.46  
A FCC Form 486 has been filed for this FRN: Yes  
This FRN includes Non-Recurring Services: No

**Decision: Denied**

**Explanation:**

Your SPIN Change request was dated after the established deadline for the receipt of SPIN Change requests. SPIN changes must be postmarked no later than the last date to submit an invoice for the applicable FRN(s).

Since your SPIN Change request was dated after the invoice deadline date of 10/28/2015 for FRN 2690716, your request is denied.

## TO APPEAL THIS DECISION

If you wish to appeal a decision in this letter to USAC, your appeal must be received by USAC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and email address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the USAC decision letter (e.g., FCDL) and the decision you are appealing:
  - appellant name
  - applicant and service provider names, if different than appellant
  - applicant BEN and service provider SPIN
  - **<insert application or form number>** as assigned by USAC
  - Funding Request Number(s) (FRNs) you are appealing if provided in the letter
  - **<insert name of the letter and funding year - both are located at the top of the letter>** AND
  - the exact text or the decision that you are appealing.
3. Please keep your letter to the point and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.
4. If you are the applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are the service provider, please provide a copy of your appeal to the applicant(s) affected by USAC's decision.
5. Provide an authorized signature on your letter of appeal.

We strongly recommend that you use one of the electronic filing options. To submit your appeal to USAC by email, email your appeal to [appeals@sl.universalservice.org](mailto:appeals@sl.universalservice.org) or submit your appeal

electronically by using the "Submit a Question" feature on the USAC website. USAC will automatically reply to incoming emails to confirm receipt.

To submit your appeal to us by fax, fax your appeal to (973) 599-6542.

To submit your appeal to us on paper, send your appeal to:

Letter of Appeal  
Schools and Libraries Division - Correspondence Unit  
30 Lanidex Plaza West  
PO Box 685  
Parsippany, NJ 07054-0685

For more information on submitting an appeal to USAC, please see "Appeals" in the "Schools and Libraries" section of the USAC website.

Thank you for your continued patience and cooperation during this process.

Schools and Libraries Division  
Universal Service Administrative Company

CC:

**FCC Form 471 Application**  
**OPERATIONAL SPIN CHANGE REQUEST**  
CONTACT eRATE PROGRAM, LLC PRIOR TO INITIATING A SPIN CHANGE REQUEST



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# Fax

To:	USAC, Data Entry Corrections	From:	Cricky Cirillo
Fax:	973-599-6526	Fax:	314-395-5882
Phone:	N/A	Pages:	3
Subject:	OPERATIONAL SPIN CHANGE	Date:	November 2, 2015

Operational SPIN change for:	Lincoln-Marti Community
FCC Form 471 Application #:	986507
FRN#:	2690716

**PROGRAM RULES REQUIRE THAT ALL eRATE CORRESPONDENCE, WORKSHEETS, AND DOCUMENTATION BE RETAINED FOR 5 YEARS**

eRate Program, LLC | 9666 Olive Street Blvd., St. Louis, MO 63132 | 314-282-3676 | [www.erateprogram.com](http://www.erateprogram.com)



# FCC Form 471 Application OPERATIONAL SPIN CHANGE REQUEST

CONTACT eRATE PROGRAM, LLC PRIOR TO INITIATING A SPIN CHANGE REQUEST

## Applicant Information:

1.	Submitter of request:	Cricky Cirillo
2.	Billed Entity Number:	16055616
3.	Funding Request Number:	2690716
4.	FCC Form 471 Application Number:	986507
5.	Applicant Name:	Lincoln-Marti Community
6.	Name of Applicant Contact:	Cricky Cirillo
7.	Telephone Number:	314-282-3675
8.	Email Address:	cricky@erateprogram.com

## Original Service Provider:

9.	SPIN:	143032782
10.	Service Provider Name	TW Telecom Holdings Inc dba Level 3
11.	Service Provider Contact	Amy Ban
12.	Telephone Number:	720-888-5990
13.	Email Address:	N/A

## New Service Provider:

14.	SPIN:	143004824
15.	Service Provider Name	Bellsouth Telecommunications LLC dba AT&T
16.	Service Provider Contact	Itanya Montgomery
17.	Telephone Number:	866-336-8278
18.	Email Address:	N/A

## Other:

19.	Reason for change. If the change is for a reason other than a data entry error or a merger/acquisition, please give a brief explanation of the circumstances requiring the change.	Original vendor, current vendor, could not install services until November so they stayed with their old vendor until then
20.	Has the original service provider supplied any services under this funding request? If yes, you must supply the following information.	YES
<b>For Recurring (Non Recurring) Services:</b>		
	a. Monthly (One-time) pre-discount amount for original service provider	\$30,963.03
	b. Monthly (One-time) pre-discount amount for new service provider	\$30,963.03
	c. Effective date of change	November 1, 2014
	d. Last day of service for new service provider	October 30, 2014

Make sure that your contact information at the beginning of this form is correct. ERP may need to reach you in order to process your request. Send your Operational SPIN Change as follows:

**By email to:** [erp@erateprogram.com](mailto:erp@erateprogram.com), Subject: Operatinal SPIN Change Request

**By fax to:** 314-395-5882, Subject: Operational SPIN Change Request and indicate the pages you are faxing.

**PROGRAM RULES REQUIRE THAT ALL E-RATE CORRESPONDENCE, WORKSHEETS, AND DOCUMENTATION BE RETAINED FOR 5 YEARS**

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FCC Form 471 Application  
OPERATIONAL SPIN CHANGE REQUEST

CONTACT ERATE PROGRAM, LLC PRIOR TO INITIATING A SPIN CHANGE REQUEST

By mail or express delivery service to:

eRate Program, LLC

Attn: Operational SPIN Change

9666 Olive Street Blvd., Suite 215, St. Louis, MO 63132

Cricky Cirillo

Print Name of Authorized Signatory

*Cricky Cirillo*  
Signature

E-Rate Consultant

Title

11/2/2015

Date

PROGRAM RULES REQUIRE THAT ALL E-RATE CORRESPONDENCE, WORKSHEETS, AND DOCUMENTATION BE RETAINED FOR 5 YEARS

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